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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/955,863	09/19/2001	Marian Valerie Underwood	GE-07053	9918

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EXAMINER	
ZHEN, LI B	
ART UNIT	**PAPER NUMBER**
2194	

DATE MAILED: 11/01/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/955,863	UNDERWOOD ET AL.	
	Examiner	Art Unit	
	Li B. Zhen	2194	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *11 August 2005*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1 and 2* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1 and 2* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

1. Claims 1 and 2 are pending in the application.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

3. **Claims 1 and 2 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,857,016 to Motoyama et al. [hereinafter referred to as Motoyama, cited in previous office action] in view of U.S. Publication No. 20020104071 to Charisius et al. [hereinafter referred to as Charisius, cited in previous office action].**

4. As to claim 1, Motoyama teaches the invention substantially as claimed including a track management system [computer workstation 26, Fig. 1; col. 4, lines 30 – 61] and sensors [position reporting device 20, Fig. 1; col. 4, lines 30 – 60], a commercial off-the-shelf (COTS) application server [Networking software that may be used to control the network includes any desired networking software including software commercially available from Novell or Microsoft; col. 6, lines 39 – 55] capable of receiving data in a J2EE compliant protocol [general event management architecture of the position reporting device 20 that can be implemented as any one, or a combination of, a dynamic link library, a script, a JAVA, C++, or other object oriented language class; col. 7, lines 27 - 38], generating data representing target information from at least said sensors, and communicating said data to said COTS application server in the form of a J2EE compliant protocol [RecordEvent( ) allows the GPS receiver 150 to inform the monitoring system 152 that it should record the position information; col. 7, line 39 – col.

8, line 2], and providing said processed data to a user [user of the workstation 26 is provided information on the location of a mobile object; col. 4, lines 30 – 62].

5. Although, Motoyama teaches the invention substantially as claimed, Motoyama does not specifically teach providing a plurality of computer processing arrangements and processing the J2EE compliant data with a plurality of Enterprise Java Beans software components.

However, Charisius teaches providing a Commercial Off-the-Shelf (COTS) application server capable of receiving data in a Java Two Enterprise Edition (J2EE) compliant protocol [e.g., see Fig. 20 item 2006 EJB Application Server];

generating data representing target information from at least said sensors, and communicating said data to said COTS application server in the form of a Java Two Enterprise Edition (J2EE) compliant protocol [e.g., see Fig. 20 Client Application 2004, EJB container 2018, EJB 2002; Page 13 Section 0156 to Page 14 Section 0158]. From Fig. 20, the EJB Application Server 2006 is a target application server which provides service to its targets. Also Client Application 2004 is a client which also can be treated as a target [from the target application server's point of view] that talks/communicates with its server [target application server] in a form of a Java Two Enterprise Edition (J2EE) compliant protocol;

providing a plurality of computer processing arrangements, each of which is capable of processing Java [e.g., see Fig. 20 item 2004,item 2006; Fig. 21; Page 3 Section 0036 and Page 13 Section 0155];

in said application server, processing said J2EE compliant data with a plurality of Enterprise Java Beans software components, establishing those of said computer processing arrangements in which said data is processed [e.g., see Fig. 21 and Page 3 Section 0036, Page 13 Section 0155];

providing said J2EE compliant data to the selected ones of said computer processing managements, for thereby generating processed data [e.g., see Fig. 21 and Page 3 Section 0036, Page 14 Section 0163]; and

providing said processed data to a user [e.g., see Fig. 20 EJB Object Stub (browser) 2012].

6. It would have been obvious to a person of ordinary skill in the art at the time of the invention to apply the teaching of providing a plurality of computer processing arrangements and processing the J2EE compliant data with a plurality of Enterprise Java Beans software components as taught by Charisius to the invention of Motoyama because distributed computing allows a business system to be more accessible to enterprise affiliates such as suppliers, customers, business partners, or financial lending institutions and Enterprise JavaBean defines the architecture for developing distributed business objects so that a remote client application run by an enterprise affiliate can access business logic managed by an enterprise application server [p. 2, section (0019) of Charisius].

7. As to claim 2, Motoyama as modified teaches the method comprising the steps of:

a track management system [computer workstation 26, Fig. 1; col. 4, lines 30 – 61 of Motoyama] and sensors [position reporting device 20, Fig. 1; col. 4, lines 30 – 60 of Motoyama];

providing a COTS application server capable of receiving data in a Java Two Enterprise Edition (J2EE) compliant protocol [e.g., see Fig. 20 item 2006 EJB Application Server of Charisius; col. 6, lines 39 – 55 of Motoyama];

generating data representing target information from at least said sensors, and communicating said data to said COTS application server in the form of a Java Two Enterprise Edition (J2EE) compliant protocol [e.g., see Fig. 20 Client Application 2004, EJB container 2018, EJB 2002; Page 13 Section 0156 to Page 14 Section 0158 of Charisius; col. 7, line 39 – col. 8, line 2 and col. 7, lines 27 – 38 of Motoyama];

providing a plurality of computer processing arrangements, each of which is capable of processing Java [e.g., see Fig. 20 item 2004,item 2006; Fig 21; Page 3 Section 0036 and Page 13 Section 0155 of Charisius];

in said application server, processing said J2EE compliant data with one of (a) plurality of Enterprise Java Beans software components and (2) a Common Object Request Broker Architecture (CORBA) software component arrangement, to establish

those of said computer processing arrangements in which said data is processed [e.g., see Fig. 21 and Page 3 Section 0036, Page 13 Section 0155 of Charisius];

providing said J2EE compliant data to the selected ones of said computer processing arrangements, for thereby generating processed data [e.g., see Fig. 21 and Page 3 Section 0036, Page 14 Section 0163 of Charisius]; and

providing said processed data to a user [e.g., see Fig. 20 EJB Object Stub (browser) 2012 of Charisius; col. 4, lines 30 – 62 of Motoyama]. Upon further consideration, examiner notes that the previous reference to U.S. Patent Application Publication No. 2003/0065827A1 to (Skufca) is no longer needed because the claim 2 does not require both J2EE and CORBA software components. Claim 2 recites, "processing said J2EE compliant data with **one of** (a) an ENTERPRISE JAVABEANS software component arrangement and (b) a Common Object Request Broker Architecture (CORBA) software component arrangement..." [lines 12 – 14, emphasis added]. Examiner notes that only one of an Enterprise JavaBeans software component or CORBA software component is required to process the J2EE compliant data and Charisius teaches processing J2EE compliant data with Enterprise JavaBeans [e.g., see Fig. 21 and Page 3 Section 0036, Page 13 Section 0155 of Charisius]. Therefore, Motoyama as modified by Charisius teaches claim 2 as recited.

Response to Arguments

8. Applicant's arguments filed 08/11/2005 have been fully considered but they are not persuasive. In response to the Non-Final Office action dated 06/01/2005, applicant appears to argue:

(1) there is no motivation to combine Motomaya with Charisius [p. 5, line 13, - p. 6, line 8]; and

(2) Motomaya does not teach "providing a track management system". A track is a succession of positions and Motomaya only teaches simple position information [p. 7, lines 1 – 14].

In response to argument (1), examiner respectfully disagrees. Applicant appears to argue that Motomaya does not teach all the examples of the motivation statement [p.

5, line 25 – p. 6, line 3]. Examiner respectfully notes that the motivation suggests distributed processing allows access to enterprise affiliates and examples of affiliates includes suppliers, customers, business partners, or financial lending. The examples are not intended to be inclusive. For example, the users of the location service of Motomaya are customers. Motomaya teaches a location service that a customer can access position information of a mobile object through a network [i.e. col. 2, lines 22 – 33]. Motomaya teaches a network of position reporting devices that are implemented in Java [col. 7, lines 26 – 38]. Motomaya does not specify what edition of Java to use. Java is distributed in different editions, for example, J2EE for networking, J2SE for the desktop environment, and J2ME for mobile devices. Since Motomaya teaches the position reporting devices communicating through a network, it would have been obvious for these reporting devices to communicate in J2EE compliant protocol to take advantages of features provided by J2EE framework, such as cross-platform portability, availability of open-source libraries, a huge server-side deployment base, and coverage for most W3C standards. This would allow the location service of Motomaya to be more accessible to its customers.

As to argument (2), examiner respectfully notes that the recited claims do not define a track management system. Examiner also notes that there does not appear to be a definition of a track management system in the specification. Given its broadest reasonable interpretation, examiner interpreted a track management system as a system for track the location of an object. Motomaya teaches a location service which would correspond to the track management system as claimed. Finally examiner notes that Motomaya also teaches a history of positions of the mobile object [i.e. col. 12, lines 42 – 61].

Conclusion

9. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Li B. Zhen whose telephone number is (571) 272-3768. The examiner can normally be reached on Mon - Fri, 8:30am - 5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Thomson can be reached on 571-272-3718. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Li B. Zhen
Examiner
Art Unit 2194

lbz

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TC 2100
AU 2194